

DECLARATION OF ZHU MINGFEI

I, ZHU Mingfei, declare as follows:

1. I am over 18 years of age. I have personal knowledge of the facts set forth herein. I make this declaration in support of Plaintiff's *Ex Parte* Motion for a Temporary Restraining Order, Asset Restraining Order, Expedited Discovery Order, and Email Service (the "*Ex Parte* Motion") and, if called as a witness, I could and would competently testify as follows:
2. I am the owner of the property that is attached as Exhibit 1 to the Complaint. The property is valid and I own all rights granted by its registration.
3. I have invested substantial time, money, and effort creating the product covered by the property attached as Exhibit 1 to the Complaint.
4. The overwhelming success of the product has resulted in significant infringing use by individuals and entities who unlawfully manufacture and sell infringing items. Many infringing sellers use similar images or wording for the sale of their infringing products to confuse consumers to buy their similar products.
5. I have identified numerous fully interactive e-commerce stores which are offering for sale and/or selling the products to consumers in this Judicial District and throughout the United States and are reproducing offering for sale infringing items without our authorization in connection with the marketing and sale of Defendants' products. The list of stores of the Defendants, and the screenshots of Defendants' unauthorized sale of infringing products, is attached as Exhibit 1.
6. I have not given any of the Defendants listed in Schedule A to the Complaint the right to copy, distribute, or sell counterfeit products.

7. I have performed investigations into the listings of the Defendants in this case. These investigations have established that Defendants are using the various webstores to infringe our property and to sell counterfeit products from foreign countries such as China to consumers in the United States and the State of Illinois, including the Northern District of Illinois. I am aware that Defendants' counterfeit products were being offered for sale to residents of the United States and State of Illinois. These Defendants and the Infringing Websites do not conduct business with me and do not have the right or authority to use to sell the infringing products for any reason.
8. Defendants' unauthorized infringement has caused, and continues to cause, irreparable harm to me through, among other things, loss of exclusivity.
9. Monetary damages cannot adequately compensate me for ongoing infringement because monetary damages fail to address the loss of my exclusive rights, loss of market share that I may never be able to recover, and damage to my goodwill and reputation. Furthermore, monetary damages are difficult, if not impossible, to determine due to the inability to calculate measurable damage in dollars and cents caused to my loss of market share and damage to my reputation and goodwill by the Defendants' acts of infringement.
10. The extent of the harm to our business reputation, the goodwill associated therewith, and the possible diversion of customers due to loss in brand confidence is irreparable and incalculable, thus warranting an immediate halt to Defendants' infringing activities through injunctive relief.
11. My company will suffer immediate and irreparable injury, loss, and damage if Defendants' counterfeiting and copyright infringement is not immediately stopped.

12. Defendants have been profiting and continue to profit from the sale of products which are marketed and sold with product listings that feature infringing versions of our property.

13. An injunction will not harm the public interest because Defendants can sell products without infringing on my rights.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: 1/19/2024

ZHU Mingfei
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